

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
GREENBELT DIVISION**

In re:

MARK KOTLARSKY,

DEBTOR.

CASE NO. 13-12002-WIL

CHAPTER 7

**RESPONSE TO MOTION TO TRUSTEE'S MOTION FOR AUTHORITY TO SELL REAL
PROPERTY FREE AND CLEAR OF ANY AND ALL LIENS AND INTERESTS
PURSUANT TO 11 U.S.C. SECTION 363**

COMES NOW, Wells Fargo Bank, N.A ("Wells Fargo), by counsel, in Response to the Trustee's Motion for Authority to Sell Real Property Free and Clear of Any and All Liens and Interests Pursuant to 11 U.S.C. 363 (7400 Heartleaf Circle, Laurel, MD 20707) ("Motion") and states the following in response thereto:

1. The Trustee is seeking to sale the property located at 7400 Heartleaf Circle, Laurel, MD 20707 Free and Clear of Any and All Liens.
2. In the Motion, the Trustee acknowledges a lien of Wells Fargo, N.A. on the subject property.
3. Wells Fargo Bank, N.A. was granted relief from the automatic stay on May 6, 2013.
4. The subject property located at 7400 Heartleaf Circle, Laurel, MD 20707 sold at foreclosure sale in Prince George's County, MD on May 29, 2014 at 10:00am, vesting in the name of

Federal Home Loan Mortgage Corporation. (See attached **Exhibit A**).

5 Therefore, the Trustee's Motion is inappropriate as the property is no longer property of the Debtor's estate and cannot be sold by the Trustee.

WHEREFORE, Wells Fargo Bank. N.A. asks that this Court DENY the Motion.

Respectfully submitted,

SAMUEL I. WHITE, P. C.

By: **/s/ KIMBERLY B. LANE**

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CERTIFICATE

I hereby certify that a true copy of the foregoing Response was served by regular mail or email this 21st day of July, 2014 on all necessary parties including, Janet M. Nesse, Trustee, 1775 Pennsylvania Avenue, NW Suite 800, Washington, DC 20006; Richard H. Gins, Counsel for Mark Kotlarsky, 4710 Bethesda Avenue, Suite 204, Bethesda, MD 20814; and Mark Kotlarsky, Debtor, 7400 Heartleaf Circle, Laurel, MD 20707.

SAMUEL I. WHITE, P. C.

By: **/s/ KIMBERLY B. LANE**